

REMARKS

Claims 1, 3-6, 8-12, 14 and 16-22 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 8-12, 14, and 16-22 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

The Examiner claims that "[t]he specification does not enable one skilled in the art to which it pertains to control a quantity or flow of feedback gas from the cathode side to effect a relative humidity of cathode supply gas, or to adjust the controlled quantity of cathode feedback gas based on a desired relative humidity of the cathode supply gas." Applicants respectfully disagree with the Examiner's position. The specification specifically supports this proposition at paragraph [0029], reproduced below.

To resolve the limitations of humidification by water injection alone, humid cathode exhaust gas is fed back or is recycled to the compressor 22 through a feedback conduit 32. The feedback conduit 32 is connected to the suction inlet 26. A metering device 34 controls the rate of flow of the feedback gas to the suction inlet 26. Fresh air and the feedback gas are mixed in the suction inlet 26 and are drawn into the compressor 22. The feedback gas has a relative humidity of at least 100%. The feedback gas stabilizes the water vaporization process within the compressor 22 and provides another parameter for regulating the relative humidity and discharge temperature. For example, by increasing the feedback gas flow the amount of injected water can be decreased. (paragraph [0029]).

As indicated above, there is clearly enablement in the specification for recycling cathode exhaust for humidification of a cathode supply gas as claimed.

Applicants respectfully submit that the introduction of humid cathode exhaust gas to a cathode feed gas will clearly effect the relative humidity thereof. There is no undue experimentation required in order for a skilled practitioner to adjust the percent of recycled cathode exhaust gas and injected water to obtain a desired relative humidity. The Examiner indicates that some sort of feedback system is required to adjust the controlled quantity of cathode feedback gas based on a desired relative humidity. Applicants note that this feature is not required by the claims. However, Applicants note that the specification states that a controller is provided to control the amount of feedback gas provided to the suction inlet and that any specific quantity or flow of feedback gas would be dependent upon operating conditions and system parameters that are obtainable without undue experimentation.

Applicants respectfully submit that the features of claims 8-12, 14, and 16-22 are adequately described in the specification such that one skilled in the art could make or use the invention. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 8-12, 14, and 16-22.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3-6, 8-12, 14, and 16-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Benz et al. (U.S. Pat. No. 5,645,950, hereinafter "Benz") in view of Kaufmann (U.S. Pat. Publ. No. 2003/0219636, hereinafter "Kaufmann"). This rejection is respectfully traversed.

At the outset, Applicants enclose herewith a Declaration under 37 C.F.R. § 1.131 and associated evidence under 37 C.F.R. § 1.131 stating that the present invention was conceived and reduced to practice in this country prior to January 27, 2003, the U.S. filing date and effective §102(e) date of Kaufmann. Therefore, Kaufmann is not a valid prior art reference to the presently pending claims 1, 3-6, 8-12, 14 and 16-22. Therefore, reconsideration and withdrawal of the rejection of claims 1, 3-6, 8-12, 14 and 16-22 are respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: Ryan W. Massey
Ryan W. Massey, Reg. No. 38,543

CORRESPONDENCE ADDRESS:
Charles Ellerbrock, Esq.
General Motors Corporation
Legal Staff - Mail Code 482-C23-B21
PO Box 300 - 300 Renaissance Center
Detroit, Michigan 48265-3000
Ph: 313-665-4709
Fax: 313-665-4976

RWM/JMP